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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 07-0654 CRB
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER EXCLUDING TIME FROM
v.)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. § 3161(h)(8)(A))
EMMANUEL EJIKE ANYANWU and)	
LINDA NGOZI ASHIEGBU,)	
)	
Defendants.)	

With the agreement of the parties in open court, and with the consent of defendant Linda Ngozi Ashiegbu, the Court enters this order documenting exclusion of time from November 9, 2007 through December 5, 2007 under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1). The parties agree, and the Court finds and holds, as follows:

1. Defendant Linda Ngozi Ashiegbu (hereinafter "Ashiegbu") was indicted on October 16, 2007, and she made her initial appearance before this Court on November 1, 2007. On November 8, 2007, this Court appointed defense counsel to represent Ashiegbu, and defendant then entered a plea of not guilty. That same day, this Court scheduled an initial appearance before the District Court in this matter on December 5, 2007. Defendant Emmanuel

Ejike Anyanwu is the subject of an outstanding arrest warrant and has not yet been located.

Discovery has not yet been provided in the case.

2. At the appearance on November 8, 2007, Defendant Ashiegbu agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defense counsel time necessary for effective preparation, taking into account the exercise of due diligence, in this case. Accordingly, this Court found that the ends of justice served by excluding the period from November 8, 2007 through December 5, 2007 from Speedy Trial Act calculations outweigh the best interest of the public and the defendant in a speedy trial.¹⁸ U.S.C. § 3161(h)(8)(A) & (B)(iv). This Court ordered that this period be excluded from Speedy Trial Act calculations. *Id.*

IT IS SO STIPULATED.

DATED: November 19, 2007

\s\
STEVEN KALAR
Attorney for Defendant Linda Ashiegbu

DATED: November 19, 2007

\s\
ALLISON MARSTON DANNER
Assistant United States Attorney

IT IS SO ORDERED.

DATED:

BERNARD ZIMMERMAN
United States Magistrate Judge